

ORDERED ACCORDINGLY.

This order confirms a stipulation between debtors and secured creditor BAC. It is not a final confirmation order regarding debtor's pending plan.



Dated: July 12, 2010

Jeremy T. Bergstrom, Esq.
Arizona Bar No. 19399
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File No. 09-96068

A handwritten signature of George B. Nielsen, Jr. is written over a horizontal line.

GEORGE B. NIELSEN, JR
U.S. Bankruptcy Judge

Attorneys for Secured Creditor,
BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING,
LP

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:
DENIS J. ARTILES AND ROSA M. CANO,
Debtors

Chapter 11

Case No.: 2:09-bk-27092-GBN

BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS
SERVICING, LP,

Movant,

vs.

DENIS J. ARTILES AND ROSA M. CANO,
Debtor; US TRUSTEE, Trustee,

Respondents.

**STIPULATED ORDER APPROVING FAIR MARKET VALUE OF PROPERTY AND
APPROVING DEBTORS' CHAPTER 11 PLAN AND DISCLOSURE STATEMENTS**

IT IS HEREBY STIPULATED BY AND BETWEEN Secured Creditor, BAC HOME
LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP, through
its counsel, JEREMY T. BERGSTROM, Esq., of the law firm of Miles, Bauer, Bergstrom &
Winters, LLP and Debtor, DENIS J. ARTILES and ROSA M. CANO, through their counsel,
NASSER U. ABUJBARAH, as follows:

1 1. That the fair market value of the subject Property generally described as **44185 West**
2 **Palo Abeto Drive, Maricopa, AZ 85239** ("Property" herein) and legally described as follows:

3 LOT 308, PALO BREA, ACCORDING TO THE PLAT OF RECORD IN THE
4 OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA,
5 RECORDED IN CABINET E, SLIDE 196.

6 Be valued at \$188,000.00.

7 2. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Debtors will
8 pay back the Escrow advance of \$3,170.22 over the course of the next 60 months and the debtors
9 are responsible for ongoing payments of taxes & insurance regardless of plan confirmation.

10 3. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event Debtor
11 fails to timely and properly comply with the Escrow Advance payments ordered above, Secured
12 Creditor shall send to Debtor written notice of default with copy to Debtor's counsel, stating that
13 the Debtor shall have ten (10) days to cure. Also, an additional attorney's fee of \$100.00 will be
14 incurred for each notice of default. In the event Debtor fails to timely and properly cure the
15 delinquency pursuant to the 10-day written notice of default as set forth hereinabove, Secured
16 Creditor shall submit an Ex Parte Order Terminating the Automatic Stay. Upon entry of the Ex
17 Parte Order, the Automatic Stay shall be immediately terminated and extinguished for all
18 purposes as to Secured Creditor, BAC HOME LOANS SERVICING, L.P. FKA
19 COUNTRYWIDE HOME LOANS SERVICING, L.P., its assignees and/or successors in
20 interest, and Secured Creditor, its assignees and/or successors in interest, may proceed with a
21 foreclosure of and hold a Trustee's Sale of the subject Property, pursuant to applicable state law,
22 and commence any action necessary to obtain complete possession of the subject Property.

23 4. That this Stipulated Order is binding in any conversion of the subject bankruptcy
24 proceeding and supersedes the plan confirmation.

1 5. Upon Entry of this Order Secured Creditor cast its vote to approve the Debtors plan
2 and disclosure statement.

3 6. Upon Entry of this Order Secured Creditor's objection to plan and disclosure
4 statement are hereby withdrawn

5 SO STIPULATED
6

7 DATED: June 29, 2010

By: /s/ Jeremy T. Bergstrom, Esq.

Jeremy T. Bergstrom, Esq.

Attorney for Secured Creditor

BAC HOME LOANS SERVICING, LP FKA

COUNTRY WIDE HOME LOANS SERVICING,
LP

11 SO STIPULATED

12 DATED: 7/8/10


NASSER U. ABUJARAH

Attorney for Debtor

16 IT IS SO ORDERED this _____ day of _____, 2010.

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UNITED STATES BANKRUPTCY JUDGE

(09-96068/azstpts.dot/mld)